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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/657,675

09/08/2003

Gregg R. Hamilton

VRTS-0441

1263

7590

02/02/2006

Moser, Patterson & Sheridan, LLP  
Suite 100  
595 Shrewsbury Avenue  
Shrewsbury, NJ 07702

EXAMINER

KIM, HONG CHONG

ART UNIT

PAPER NUMBER

2185

DATE MAILED: 02/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



**UNITED STATES DEPARTMENT OF COMMERCE**

**U.S. Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20060130

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

See attachement

Art Unit: 2185

**Detailed Action**

1. The reply filed on Jan. 17, 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has no right to have new claims considered or entered at this point in the prosecution since prosecution on the merits is closed and it is after the issuance of an Ex Parte Quayle action. It appears that introduced new claimed limitations in claims 10-18 and 23 require further search and consideration. Also applicant did not specifically point out the support for any amendments (claims 10-18 and 23) made to the disclosure and why the amendments are necessary. Applicant should also specifically point out the support for any amendments made to the disclosure to avoid possible questions of new matter and to expedite prosecution of the application. A software claim (i.e. claim 10) should include following languages "-- a computer readable memory including program instructions that executable by a processor---" to avoid possible 35 USC 101 rejection. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

2. When responding to the office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He

Art Unit: 2185

or she must also show how the amendments avoid such references or objections. See 37 C.F.R. ' 1.111(c).

3. When responding to the office action, Applicants are advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist examiner to locate the appropriate paragraphs.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Kim whose telephone number is (571) 272-4181. The examiner can normally be reached on M-F 9:00 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Kim can be reached on (571) 272-4182. Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 whose telephone number is (571) 272-2100.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2185

6. **Any response to this action should be mailed to:**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**or faxed to TC-2100:**  
(571)-273-8300

Hand-delivered responses should be brought to the Customer Service Window (Randolph Building, 401 Dulany Street, Alexandria, VA 22314).

H Kim  
Primary Patent Examiner  
January 30, 2006

